

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In the Matter of the Application of C.B. on
Behalf of Z.G., her minor child

NOTICE OF MOTION

07 Civ. 3419 (AKH)

Plaintiffs,

-against-

DEPARTMENT OF EDUCATION OF THE
CITY OF NEW YORK,

Defendant.

-----X

PLEASE TAKE NOTICE, that upon the accompanying Plaintiffs' Statement of Material Facts Not In Dispute, dated September 20, 2007, the Plaintiff, C.B. on Behalf of Z.G. , will move this Court, before the Honorable Alvin K. Hellerstein, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York 10007, on the 14th day of November, 2007, at 9:30 A.M., or as soon thereafter as counsel may be heard, for an order pursuant to Fed. R. Civ. P. 56 awarding plaintiff summary judgment in its favor, together with such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that opposition papers, if any, are to be served by October 26, 2007.

Dated: New York, New York
September 20, 2007

Respectfully submitted,

s/Neal H. Rosenberg, Esq.
NEAL H. ROSENBERG (NHR 7827)
Attorney for Plaintiffs
9 Murray Street, Suite 4 West
New York, New York 10007
(212) 732-9450

To: MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendant
100 Church Street, Room 2-317
New York, New York 10007
(212) 788-0878

By: _____
ANDREW RAUCHBERG
Assistant Corporation Counsel

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Notice of Motion** was served via EC Filing system to Michael A. Cardozo, Corporation Counsel of the City of New York, Attorney for the Plaintiff, 100 Church Street, Room 2-121, New York, New York 10007, by Andrew J. Rauchberg (AR 2179), Assistant Corporation Counsel.

s/Stewart L. Karlin